

**REMARKS**

In response to the telephonic interview kindly granted on 1/9/09, Applicant submits the foregoing amendments.

The amendments follow from discussions with the Examiner during the recently granted telephone interview. During the interview, Applicant and the Examiner discussed the rejections of the independent claims as being anticipated by U.S. Pub. No. 2005/0147107, now U.S. Pat. No. 7,133,367 to Powers et al. ("Powers"). Specifically, Applicants amend independent claims 1, 12, and 17 to recite with more particularity the subject matter of the claimed invention. No new matter is added.

In view of the above amendments and remarks, Applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response other than those indicated on the attached Transmittal Forms. However, if a fee is due, please charge our Deposit Account No. 18-1945, under Order No. CDPC-P01-003 from which the undersigned is authorized to draw.

Dated: January 23, 2009

Respectfully submitted,

By /Tushar Parlikar/  
Tushar Parlikar  
Registration No.: 61,715  
ROPES & GRAY LLP  
One International Place  
Boston, Massachusetts 02110  
(617) 951-7000  
(617) 951-7050 (Fax)  
Attorneys/Agents For Applicant